

REMARKS

Entry of this Preliminary Amendment (after RCE) in the above-indicated application prior to examination on the merits is respectfully requested.

I. Status of the claims:

Claims 1-96 were pending in the present application prior to this amendment. New claims 97-100 are now presented for consideration by the Examiner. No new matter has been added as a result of this amendment. Applicants respectfully request reconsideration of the application in light of these amendments and the following remarks.

II. Rejections under 35 U.S.C. §102(e)

Claims 1-96 are currently pending in the application. The Examiner has rejected claims 1-96 under 35 U.S.C. §102(e) as being anticipated by Khavakh et al. (US 6,678,611), hereafter "Khavakh").

Applicants have considered the Examiner's contentions, and disagree with the Examiner's interpretation of Khavakh, and the application of this reference as an anticipatory disclosure against the present invention.

The present invention is directed to a customizable user interface for terminals in mobile use. The interface may be modified based on user preferences in order to organize information. The user interface is composed of a node map wherein multiple child nodes may be visually coupled to a parent node. The child nodes may, when selected, perform various activities related to the subject matter of the parent node.

Khavakh is a navigation system for providing route planning instructions, wherein a user may enter information related to a starting point and a desired destination. (abstract) The “nodes” in this system are “physical locations in the geographic region.” (column 4, lines 40-62) Some information in Khavakh is configurable by the end-user (column 6, lines 26-45), however, this information is limited to the characteristics of the route planning and does not appear to alter the node information.

Khavakh, even given the broadest most reasonable interpretation of the claims, cannot read upon the limitations of claim 1. No citations presented by the Examiner disclose “initiating the creation of a new node” as required by claim 1. Nodes, as defined by the Khavakh reference, are not variable entities. “The storage medium is installed in the drive 14 so that the map database 20 can be read and used by the navigation system.” (column 4, lines 23-31) In fact, the Khavakh reference’s own definition of node (column 4, lines 40-62), and the use of the node information in the system, discloses that the information pertaining to nodes is not updated. Therefore, Khavakh cannot anticipate “initiating the creation of a new node” as required by claim 1.

Further, the Examiner has argued that at least the limitations of claims 2-13 are anticipated by Khavakh. We disagree and counter that the referenced citations, both in the body of the rejection and in the response to the arguments section of the June 13, 2005, Office Action, do not recite nor imply the limitations of claims 2-13. The Khavakh reference recites the entry of general information into a navigation system, but does not discuss the creation or manipulation of nodes. The same argument applies to claims 23-26, which have been rejected in

view of general citations to program data structure and calculations, and to claims 27-96 that were rejected in view of the previous rejected claims.

Therefore, in view of the above, the 35 U.S.C. §102(e) rejections to claims 1-96 should be rescinded.

III. New claims

In combination with the arguments presented above, the independent and/or dependant claims added to the application in this amendment further distinguish the present invention from the applied reference. These claims highlight characteristics of the nodes, and the manipulation of these nodes, that is neither recited or implied in the Khavakh reference.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. In addition, The applicant reserves the right to file a continuation application at a later time before the issuance of the pending application.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4503, Order No. 4208-4030. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 13-4503, Order No. 4208-4030. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By: 

Elliot L. Frank
Registration No. 56,641
(202) 857-7887 Telephone
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101